IN THE HIGH COURT OF JUDICATURE AT BOMBAY,

NAGPUR BENCH, NAGPUR

Writ Petition No.952 of 2006

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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CORAM **:** D.D.Sinha and
A.B.Chaudhari, JJ.

DATE **:** February 7, 2007.

Heard Mr. A.S.Jaiswal, Counsel for the Petitioner and Mr.M.M.Agnihotri, Counsel for the Respondents.

In our order dt. 17.1.2007, we have already mentioned and considered the facts involved in the present Writ Petition and also found that the amount of Rs. 27,900/- needs to be returned to the petitioner by the respondents. The counsel for the petitioner states that there are lands available in M.I.D.C. for allotment and seeks permission to approach the Authority for allotment of land, according to law. Mr. Agnihotri, learned counsel for the respondents states that there is no land available for allotment.

Be that as it may. So far as the amount of Rs. 27,900/- is concerned, we direct the respondents to return that amount forthwith to the petitioner. So far as allotment of additional land to the petitioner is concerned, it is open for the petitioner to approach the

Authorities, who are entitled to consider the eligibility of the petitioner according to law, on its earliest, if the petitioner approaches the Authorities.

Since there is a dispute as to whether the petitioner was made known about the decision taken by the respondents regarding refund of Rs. 27,900/- and interest to be levied thereon, this issue is kept open and the petitioner is entitled to make grievance in this regard to the respondents, who are expected to take a decision, according to law.

Copy of this order duly authenticated by the Shirestedar of this Court be supplied to the learned counsel for the respondents on payment of usual copying charges.

JUDGE JUDGE

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